

ETW RCE
1644

REQUEST FOR CONTINUED EXAMINATION TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of a utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)



Application Number	09/159,172
Filing Date	September 23, 1998
Confirmation Number	4830
First Named Inventor	Francis A. Ennis
Group Art Unit	1644
Examiner Name	Saunders, David A.
Attorney Docket Number	2866.1002-000 (UMMC98-13)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on ☐.
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ☐.
- iii. ☐ Other -- ☐.
- b. ☐ Please do not enter the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on ☐.
- c. ☒ Enclosed
- i. ☒ Amendment/Reply 11/08/2004 HALI11 00000071 09159172
- ii. ☒ Terminal Disclaimer/Statement Under 3.73(b) 01 FC:1801 790.00 OP
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Petition for Extension of Time - 4 month(s) with copy
- v. ☒ Other -- Amendment Fee Transmittal.

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ☐ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other -- ☐.

3. Fees

- The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.
- a. ☒ A check is enclosed for the following fees in the total amount of \$2,448.00
OR
☐ Authorization is granted to charge the following fees in the total amount of \$ to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Amendment Fee
- iv. ☒ Other -- Terminal Disclaimer Statutory Fee
- b. ☒ Authorization is hereby granted to charge any deficiency in fees or credit any overpayments to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	Anne J. Collins	Registration No. (Attorney/Agent)	40,564
Signature	Anne J. Collins	Date	November 3, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type)	Jenine Crump	Date	November 3, 2004
Signature	Jenine Crump		


November 3, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Francis A. Ennis
Application No.: 09/159,172 Group: 1644
Filed: September 23, 1998 Examiner: Saunders, David A.
Confirmation No.: 4830



Predictive Assay For Immune Response

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
November 3, 2004	
Date	Signature
Jenine Crump	
Typed or printed name of person signing certificate	

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is Amendment for filing in the above-identified application.

- [] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- [] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)	(COL. 2)	(COL. 3)
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR PRESENT EXTRA
TOTAL	21	MINUS * 20 1
INDEP	4	MINUS ** 4 0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM		

* not fewer than 20
** not fewer than 3

SMALL ENTITY	
RATE	ADDIT. FEE
X \$ 9	\$
X \$44	\$
+ \$150	\$

TOTAL = \$ 0

OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE
X \$18	\$ 18
X \$88	\$
+ \$300	\$

TOTAL = \$ 18

Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/>	Petition for [] month Extension of Time	\$	_____
<input type="checkbox"/>	Amendment Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>0</u>

A check is enclosed in payment of the following fees:

<input checked="" type="checkbox"/>	Petition for four month Extension of Time	\$	<u>1530</u>
<input checked="" type="checkbox"/>	Amendment Fee	\$	<u>18</u>
<input checked="" type="checkbox"/>	Other Fees:		
	Request For Continued Examination (RCE)	\$	<u>790</u>
	Terminal Disclaimer Statutory Fee	\$	<u>110</u>
	TOTAL:	\$	<u>2448</u>

☒ A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Anne J. Collins
Anne J. Collins
Registration No.: 40,564
Telephone (978) 341-0036
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: November 3, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Francis A. Ennis

Application No.: 09/159,172

Group: 1644

Filed: September 23, 1998

Examiner: Saunders, David A.

Confirmation No.: 4830

For:

Predictive Assay For Immune Response



CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
November 3, 2004	<i>Jenine Crump</i>
Date	Signature
Jenine Crump	
Typed or printed name of person signing certificate	

11/08/2004 HALI11 00000071 09159172

04 FC:1202

18.00 OP

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment is being filed in response to the Office Action mailed from the U.S. Patent and Trademark Office on October 28, 2003 in the above-identified application. Reconsideration and further examination are requested.

A Request For Continued Examination under 37 C.F.R. §1.114 is being filed in lieu of filing a Brief on Appeal pursuant to the Notice of Appeal received by the U.S. Patent Office on May 3, 2004. A four-month extension of time for filing a Brief on Appeal is respectfully requested. A separate Petition for Extension of Time and the appropriate fees are being filed concurrently.

Please amend the application as follows: